



K A N S A S

RODERICK L. BREMBY, SECRETARY

DEPARTMENT OF HEALTH AND ENVIRONMENT

KATHLEEN SEBELIUS, GOVERNOR

May 13, 2005

Mr. Art Spratlin
Director
Division of Air, RCRA and Toxics
U.S.E.P.A. Region 7
901 N. 5th Street
Kansas City, KS 66101

RE: Closure of Solid Waste Evaporation Lagoon
Abbott Laboratories, Wichita
EPA ID No. KSD 981495567

Dear Mr. Spratlin,



As you probably know, Abbott Laboratories has been corresponding with the Kansas Department of Health and Environment (KDHE) and the Region 7 Office of the U.S. Environmental Protection Agency (EPA) related to closure, monitoring, and corrective action at a wastewater evaporation lagoon at their former Wichita, Kansas facility. KDHE originally approved the closure of this unit in 1986 and required Abbott to continue to operate the leachate collection system for the lagoon that was in place at the time of closure. Abbott has requested approval to discontinue the operation of the leachate collection system in combination with the construction of an enhanced cap to improve runoff and minimize leachate generation. KDHE has approved the construction of the enhanced cap, but informed Abbott that the leachate collection system cannot be discontinued until certain other requirements are satisfied, some of which involve EPA.

KDHE believes the leachate collection system continues to be effective in controlling groundwater contamination that could be potentially released from this unit. Furthermore, U.S. EPA Region 7 recognized the leachate collection system as a part of the Statement of Basis in 2001 during the approval of the 3008(h) order for this facility. If the enhanced cap is constructed in accordance with the approved design, it is probable that leachate production will be reduced significantly. However, we believe it is necessary to establish an adequate groundwater monitoring system before permanently removing or closing the existing leachate collection system. Since comprehensive site-wide groundwater monitoring and remediation is covered through EPA's 3008(h) order, we recommend that the existing order be revisited and strengthened in the following areas:

DIVISION OF ENVIRONMENT
Bureau of Waste Management

CURTIS STATE OFFICE BUILDING, 1000 SW JACKSON ST., STE. 320, TOPEKA, KS 66612-1366
Voice 785-296-1600 Fax 785-296-8909 <http://www.kdhe.state.ks.us/waste>

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Mr. Art Spratlin

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- Groundwater monitoring system
- Constituents of concern
- Action levels for clean-up

My staff is ready to work with the EPA staff to reach agreement on appropriate new requirements in these areas. It is our opinion that the 3008(h) order must be modified to address these areas before KDHE can approve of Abbott's request to discontinue the operation of the leachate collection system. To compliment EPA's modification of the order, KDHE will establish an additional condition associated with the discontinuation of the leachate collection system. We will require groundwater monitoring to determine the effectiveness of the enhanced cap. If groundwater contamination increases, the cap is not performing adequately and operation of the leachate collection system will need to be resumed.

We appreciate your continued cooperation and support in this matter. If you have any questions, please call me at (785) 296-1600.

Sincerely,



William L. Bider

Director

Bureau of Waste Management

Cc: Dr. Ron Hammerschmidt – DOE
Mostafa Kamal – BWM
Dennis Degner – BWM
John Monroe – BWM
Paul Graves - BWM
Don Toensing – EPA